

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

<p>CHARLES EQUIPMENT ENERGY SYSTEMS, LLC,</p> <p style="text-align:right">Plaintiff,</p> <p style="text-align:center">v.</p> <p>INNIO WAUKESHA GAS ENGINES, INC. and DRESSER, INC., a wholly owned subsidiary of General Electric Company d/b/a Waukesha,</p> <p style="text-align:right">Defendants.</p>	<p>Case No. 1:22-cv-02716-CM</p>
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DECLARATION OF ANTHONY B. ULLMAN

I, Anthony B. Ullman, hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an Partner with the law firm of Dentons US LLP, counsel for Defendant INNIO Waukesha Gas Engines, Inc. (“Waukesha”) in the above-captioned matter. I have personal knowledge of the facts set forth below.

2. On May 6, 2022, I sent to Plaintiff’s counsel, Lijue T. Philip and Benjamin E. Gordon, both of Stradley Ronon Stevens & Young, LLP, Waukesha’s Rule 11 “safe harbor” letter, with an enclosed Notice of Rule 11 Motion, by U.S. Mail with a courtesy copy by e-mail. A true and correct copy of the safe harbor letter with Notice of Motion is attached hereto as Exhibit A.

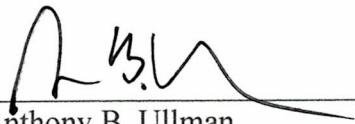
3. In my May 6, 2022 letter, I requested that Plaintiff’s counsel withdraw the Complaint for the reasons stated therein and that, if the Complaint was not withdrawn such that Waukesha was required to file a motion to dismiss the Complaint, Waukesha intended to move under Rule 11 for sanctions against them. (*See Exhibit A.*)

4. Plaintiff's counsel did not respond to my letter or withdraw the Complaint.

Accordingly, on June 2, 2022, Waukesha filed its motion to dismiss.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 11th day of November, 2022.


Anthony B. Ullman